Dear Mr Collon,

I am writing to thank you for inviting me to present evidence to the House of Lords Select Committee on Citizenship and Civic Engagement on behalf of NCS Trust. I was delighted to take part in the evidence session and highlight the impact of NCS in promoting active citizenship and civic engagement.

Following the discussion, I am providing the committee with further information on three topics:

1. Free School Meals (FSM) data;
2. Legal status of full-time volunteers; and
3. The partnership between NCS Trust and The Scout Association.

1. FSM data

Relevant extract from transcript

**Baroness Morris of Yardley:** I am surprised that the number of people on free school meals has dropped to 8%, or am I wrong on that? It used to be double that and more at 17% to 18%.

**Michael Lynas:** I can follow it up. This is not our data, but I believe it is because it includes people, many of whom have left school and are now at college.

Response

Baroness Morris of Yardley is right to point out that the overall percentage of pupils eligible for free school meals in the overall population is substantially higher than 8%; it stands at 14% across all ages, according to the official data provided by the Department for Education. However, the percentage of FSM eligible pupils drops steadily and significantly between ages 11 and 18; it drops to 13.6% for fifteen year olds, 7.9% for sixteen year olds and 7.0% for seventeen year olds. As National Citizen Service is only available to sixteen and seventeen year olds, and is primarily taken up by sixteen year olds (85% of participants), we have always used the percentage of sixteen year olds eligible for FSM as the comparator metric. As noted above, this metric was 7.9% in the January 2017 publication. The National Audit Office (NAO) in its review of NCS validated this approach and used the same (rounded) figure in their report: 8%. This figure is the one I quoted during the hearing.

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1. Schools, Pupils and Their Characteristics (National Tables, 3 a), January 2017
Having revisited the analysis in more detail, we note that DfE in its January publication refers to the age of pupils at the start of the academic year (for example, in the January 2017 publication, it is their age in September 2016). There is an alternative methodology - which may be more accurate - that compares the percentage of sixteen year old NCS participants eligible for FSM with the percentage of fifteen year old pupils eligible for FSM as reported by DfE, because they were fifteen in September of the year preceding their participation in NCS. The same applies to seventeen year olds. Taking the weighted average of fifteen and sixteen year olds eligible for FSM as reported by DfE, and using the split of NCS participants between sixteen and seventeen year olds respectively, gives a population comparator of 13% rather than 8%. NCS participants on FSM (17% in 2016 and 18% in 2017 respectively) is still significantly higher than both comparators.

In sum, the percentage of FSM eligible pupils on NCS needs to be compared to a baseline representing the right age group in the general population. Using a simple population metric of counting only sixteen year olds (as validated by NAO) yields a baseline of 8%, while using a more sophisticated population metric accurately reflecting the NCS age mix and correcting for the lag in DfE data yields a baseline of 13%. Regardless of which methodology is used, the percentage of NCS participants eligible for FSM (17% of NCS participants) is significantly higher; it is in fact higher even than the % of pupils eligible for FSM across all ages (14%).

2. Legal status of full-time volunteers

Relevant extract from transcript

Baroness Lister of Burtersett: In your joint evidence, you draw attention to barriers created by the legal status of volunteers. I will not ask you to go into it now because I know the Chair wants to move on, but could you perhaps write to us and give us chapter and verse as to what are the laws that are preventing this? I was surprised at that.

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The Chairman: I would add one thing because I noticed, when I was involved in the International Citizen Service where people are going abroad for longer periods, that also had an impact on their social security and positioning. It is not in here, but it would be useful to have your views on that as well.

Response

Volunteers of all kinds in the UK are currently exempt from minimum wage legislation via section 44 of the National Minimum Wage Act 1998. Under this arrangement a ‘voluntary worker’, serving with a charitable organisation, can be reimbursed out-of-pocket expenses and / or be housed for the duration of their volunteering, but if they were to be given any other form of financial support (sick and bereavement pay), any benefits in kind (Class 3 National Insurance Credits), or even any training that is not “for the sole purpose of improving their ability to do their work,” the law would deem an employment
contract to have been created, and end their exemption from the Act.

While this arrangement is right for part-time volunteers, full-time volunteers (on a 6 - 12 month programme) need this support to sustain their voluntary commitment.

The legal arrangement which covers full-time volunteers is an exemption. They therefore lack any identifiable legal status and are officially categorised as NEETs (not in education, employment, or training).

The current legal situation also leads to problems for those who volunteer overseas, such as participants on the Government-funded International Citizen Service (ICS) Programme. Before the new Universal Credit system was rolled out, young people were allowed to travel overseas (including volunteering) for up to 13 weeks and still maintain benefits eligibility. However, new guidance has now capped this at 4 weeks, with a 2-year waiting period for eligibility to be reinstated. Despite reassurances that volunteers should still be eligible on their return, experience of volunteers calling the helpline or visiting Jobcentres is that no clear information has been provided, ensuring at the least, volunteers will have to appeal against decisions and not receive supporting payments in the meantime and at worst are made ineligible for payments.

This uncertainty is particularly challenging for young people from low socio-economic backgrounds and is contrary to the diversity targets and explicit design of ICS to be “as accessible as possible”.

These two separate issues can only be resolved if full-time volunteering is given its own distinctive, and positive bestowed, legal status.

3. The partnership between NCS Trust and The Scout Association

Relevant extract from transcript

Baroness Barker: So it is different, okay. You will know that, during the passage of the Bill, there was a fair degree of criticism of NCS’s relationships with the rest of the voluntary sector, so I am interested to read about the partnership that you have agreed between you and the Scouts. Could you send us details of that, please?

Michael Lynas: Yes.

Response

The Scout Association has embarked on a pilot partnership with National Citizen Service (NCS), that is expected to be worth about £1.5 million to the charity. We will be working in partnership to achieve our shared goal to help young people prepare for the future and develop crucial skills for life. This partnership aspires to co-design and pilot ideas through NCS’s new Innovation Programme on a trial basis for a three-year period, enabling even more young people to realise, and achieve, their potential.
The partnership will:

- open up new opportunities for The Scout Association to deliver innovative NCS programmes, enhancing the impact and quality of the Explorer Scout and Young Leader experience by integrating the NCS experience within Scouting. This will support the growth of both organisations and offer new opportunities for social mixing by bringing young people inside and outside of Scouting together to share an NCS experience

- offer unique social action and personal development opportunities for NCS graduates to support Explorer Scouts, Scout Network, the Young Leaders Scheme and adult volunteering in Scouting. This will help extend the reach of NCS beyond its core programme and support sustainable growth for Scouting

- offer new roles for NCS graduates to support the growth of Scouting and NCS in disadvantaged communities, increasing the reach to communities that stand to benefit most from the opportunities Scouting and NCS have to offer

- allow both organisations to test new approaches that will improve outcomes for young people and deliver good value for money for the taxpayer

Our two organisations are working through a joint project board to develop the research and detailed designs for each element and will start testing in 2018.

I hope this letter provides you with the additional information you require, but if you have further questions please do not hesitate to get in touch. Many thanks again for inviting me to give evidence; I was very grateful for the opportunity.

Yours sincerely,

Michael Lynas
CEO
NCS Trust